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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Craig J. Gerard, Norma P. Gerard, Charles R. Mackay, Paul D. Ponath,
Theodore W. Post and Shixin Qin

RECEIVED

Application No.: 08/963,656

Group Art Unit: 1646

AUG 07 2002

Filed: November 3, 1997

Examiner: J. Murphy

TECH CENTER 1600/2900

Title:

ANTIBODIES TO C-C CHEMOKINE RECEPTOR 3 (As amended)



CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202	
on	7-29-02
Date	Signature
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Typed or printed name of person signing certificate	

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
P.O. Box 2327
Arlington, VA 22202

08/05/2002 TGEDAHU1 00000132 080380 08963656
Sir:

04 FC:126 180.00 CH

This Information Disclosure Statement is submitted:

☐ under 37 CFR 1.129(a), or

(First/Second submission after Final Rejection)

☐ under 37 CFR 1.97(b), or

(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).

☒ under 37 CFR 1.97(c) together with either:

☐ a Statement under 37 CFR 1.97(e), as checked below, or

☒ a \$180.00 fee under 37 CFR 1.17(p), or

(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

☐ under 37 CFR 1.97(d) together with:

☐ a Statement under 37 CFR 1.97(e), as checked below, and

☐ a \$180.00 fee under 37 CFR 1.17(p), or

(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)

☐ under 37 CFR 1.97(i):

Applicant requests that the IDS and cited reference(s) be placed in the application filewrapper.

(Filed after payment of issue fee)

Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449:
 - ☒ Copies of the cited references (AU3, AV3) are enclosed.
 - ☐ Copies of cited references are enclosed except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]
 - ☐ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.
 - ☐ The "concise explanation" requirement (non-English references) for reference(s) [] under 37 CFR 1.98(a)(3) is satisfied by:
 - ☐ the explanation provided on the attached sheet.
 - ☐ the explanation provided in the Specification.
 - ☐ submission of the enclosed International Search Report.
 - ☐ submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.
 - ☐ the enclosed English language abstract.

☐ Applicant requests that the following non-published pending applications be considered:

Examiner's
Initials

_____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

_____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

_____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

Examiner

Date

☐ A copy of each above-cited application, including the current claims, is enclosed.

☐ A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

REMARKS

Pursuant to 37 C.F.R. § 1.56, this statement is being filed to notify the Examiner that the claims of the subject application were not all commonly owned at the time the last claimed invention was made.

The invention of Claims 217-220 and 296-299 was made by Drs. Craig Gerard, Norma Gerard and Theodore Post.

Thereafter, the invention of Claims 151-154, 157-166, 169-176, 179-186, 188-195, 198-205, 207-216, 221-224, 227-237, 239-247, 250-258, 260-270, 273-283 and 285-295 was made by Drs. Craig Gerard, Norma Gerard, Theodore Post, Charles Mackay, Paul Ponath and Shixin Qin, and the invention of Claims 155, 156, 167, 168, 177, 178, 187, 196, 197, 206, 225, 226, 238, 248, 249, 259, 271, 272, 284 and 300-307 was made by Drs. Mackay, Ponath and Qin.

At the time their inventions were made, Drs. Craig Gerard and Norma Gerard were under obligation to assign their rights in the invention to Children's Medical Center Corporation, Dr. Post was under obligation to assign his rights in the invention to Brigham and Women's Hospital, and Drs. Mackay, Ponath and Qin were under obligation to assign their rights in the invention to LeukoSite, Inc.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:

- [] A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.
- [X] Please charge Deposit Account 08-0380 in the amount of \$2,492.00. A copy of this Statement is enclosed.
- [X] Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

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Dated: July 29, 2002